

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

---

## NOTICE OF JUDGMENT NO. 1793.

(Given pursuant to section 4 of the Food and Drugs Act.)

---

### ADULTERATION OF TOMATO PULP.

On or about December 2, 1911, the United States Attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases, each containing 4 dozen cans of tomato pulp, remaining unsold in the original unbroken packages and in possession of Burkenroad-Goldsmith Co. (Ltd.), a corporation, New Orleans, La., alleging that the product had been shipped on or about October 31, 1911, by the Tyler Can Co. (Inc.), Baltimore, Md., and transported from the State of Maryland into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Fremont Brand Tomato Pulp—Packed by A. W. Hartlove, Baltimore, Md.—Fremont Brand Tomato Pulp—Made from pieces of Tomatoes and Tomato Trimmings. Burkenroad Goldsmith Co., New Orleans, La."

Adulteration was alleged in the libel for the reason that the product contained yeasts and spores, bacteria, mold filaments, and decayed pieces of microscopic size, poor in appearance and odor, which showed that the tomato pulp consisted of filthy and decomposed vegetable substance and was adulterated.

On December 29, 1911, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *October 3, 1912.*

